

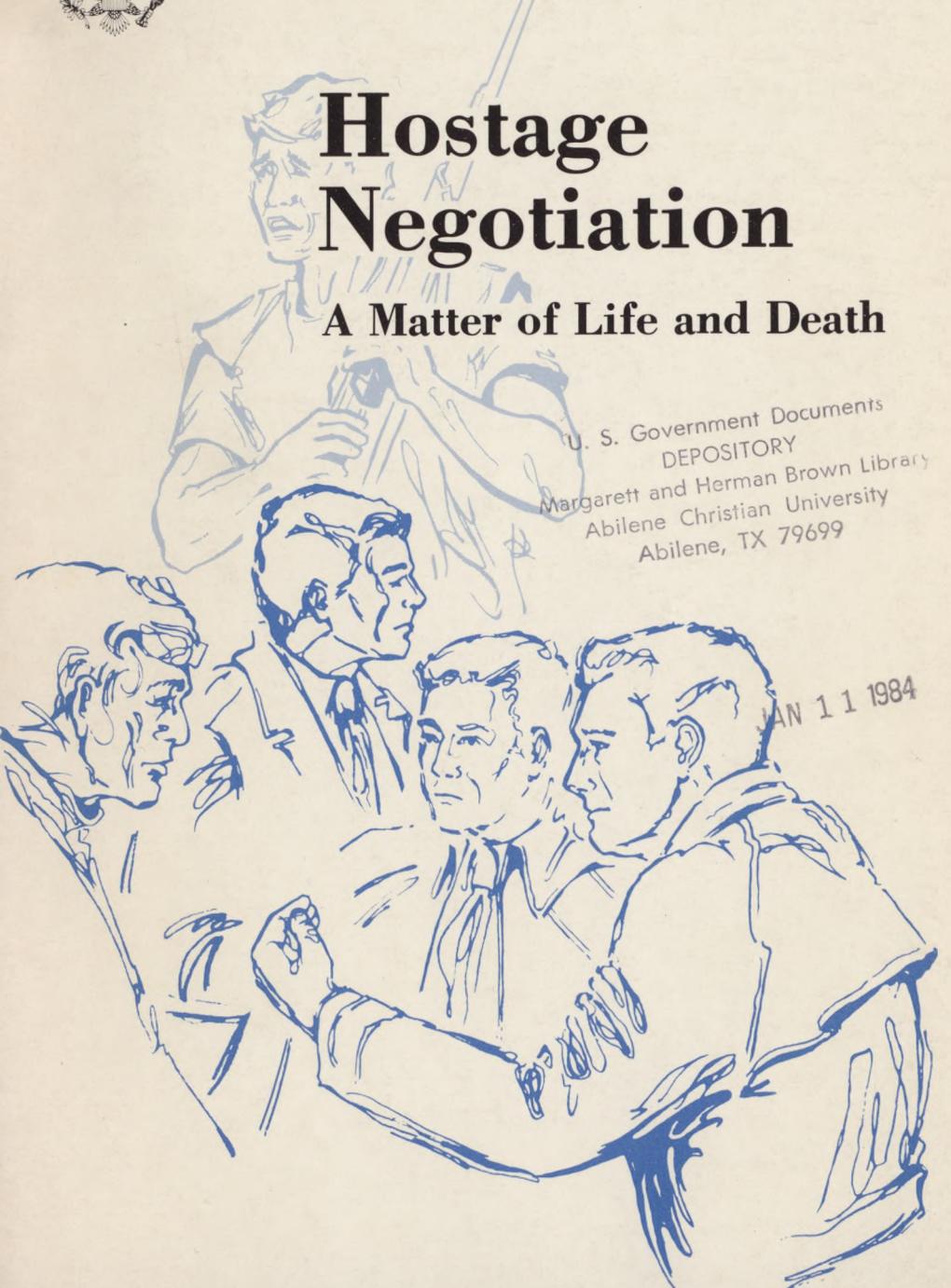
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United States Department of State

Hostage Negotiation

A Matter of Life and Death



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Hostage Negotiation

A Matter of Life and Death

A publication of the
Office of Security
Department of State

Any suggestions for changes or additions in future publications should be submitted to the Policy and Training Staff, Office of Security, Department of State, Washington, D.C. 20520.

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PURPOSE

This is a general review of the principles of hostage negotiation, and of necessity is geared to a broad audience. For those experienced negotiators, this is intended to serve as a handy reference to reinforce existing knowledge and experience. The inexperienced negotiator should use this booklet as a basic statement of the dynamics of hostage negotiation. For a more extensive study of the subject, see the bibliography at the end of this booklet.

This was written with the senior officer in mind and, in the interest of brevity, in an expanded outline format.

We have not distinguished between actual negotiators and senior officers who, although probably making the decisions, should not be the prime negotiators in face-to-face negotiations with the hostage-takers. The principles covered in this pamphlet apply to both "players."

This pamphlet does not attempt to cover techniques and tactics that are beyond the control of the hostage negotiator (or senior post official), e.g., use of military force, SWAT team, host country actions, etc.

Hostage negotiation, like any other study involving human behavior, is an inexact science, and one that is constantly evolving. There are many viewpoints on this issue, some of which are contradictory. What we have tried to offer here is a review of those tactics that seem most appropriate to the types of incidents that might involve Foreign Service personnel, an area that in the past has not received adequate attention from the experts.

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This is a general review of the principles of hostage-taking, not a detailed procedure. It is geared to a broad audience. For those experienced practitioners, this is intended to serve as a handy reference to reinforce existing knowledge and experience. For inexperienced individuals, it may use this booklet as a basic statement of the dynamics of hostage negotiations. For a more detailed study of the subject, see the Bibliography at the end of this booklet.

2. What is a negotiator?
3. What are the main characteristics of a negotiator?
4. What is a negotiator's role in a hostage situation?
5. What is the relationship between negotiator and other officers?
6. What is the relationship between negotiator and the public?
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HOSTAGE NEGOTIATION

U.S. GOVERNMENT POLICY

U.S. Government policy regarding the payment of ransom and negotiation with terrorists is clear . . .

"The U.S. Government has made clear that it will make no concessions to terrorist blackmail. We will not pay ransom or release prisoners. We support other governments that take a similar stance since concessions encourage further attacks and put more people at risk. When Americans are abducted, we look to the host government to exercise its responsibility under international law to protect all persons within its territory. Governments, corporations, and private individuals have a common interest in maintaining a policy of not submitting to terrorist demands. Should official American personnel be taken hostage as the result of an act committed or condoned by a foreign government, we will act promptly and effectively, choosing from the range of political, economic, and military sanctions appropriate to the circumstances."¹

There are, however, many actions which can and must be taken to preserve life that fall short of those prohibited by the above-stated policy.

Overall goals are:

- To preserve life
- To secure the release of the hostages in a manner consistent with U.S. Government policy

The tactics are to:

- Establish and maintain communications
- Stall for time
- Obtain information
- Calm the hostage-takers
- Establish rapport
- Persuade

¹"International Terrorism." *GIST*, June 1981. Department of State Publication, Bureau of Public Affairs.

WHY NEGOTIATION

A variety of alternatives is available to crisis management officers in dealing with a hostage-taking incident, including:

1. Containment and negotiation
2. Containment and the demand of surrender
3. Use of chemical agents
4. Use of sharpshooters
5. Assault

Some problems are associated with alternatives 2 through 5. Twelve percent of those who have died in a hostage-taking incident died during the assault. The chances of loss of life in an assault are great. Sharpshooters may hit the wrong individual or an explosive device could detonate automatically. Chemical agents are too slow, and with some dispensers there is the threat of fire. Simply demanding surrender results in more casualties and takes much more time.

Above all, once you have resorted to an assault, teargas, or sharpshooters, it may be difficult or impossible to return to negotiations, but by beginning with negotiations you still have all the other options open to you.

Therefore, the authorities should be encouraged not to take any precipitous action since the passage of time is considered to be to the advantage of the police, and the immediate use of violent tactics only reduces or eliminates the opportunity for a negotiated settlement that might be to the negotiators' advantage.

DISCUSSION OF TACTICS

Stalling for Time — The Main Tactic

The first order of business is to stall for time, which is needed for several reasons:

- To reduce the stress environment
- To allow for negotiations external to the conflict zone

- To permit the implementation of active crisis-resolution measures (i.e., hostage rescue efforts)

The passage of time increases all basic human needs, both biological and psychological. While we tend to focus on our own problems, hostage-takers also have a large number of problems to deal with, and these problems multiply and become more complex as time passes.

The important point is that you are probably in a position to satisfy some of these needs and may even be able to create some that will later need satisfying. When you are in a negotiation, set aside some time to consider from your opponents' point of view their position and the problems that they might be facing. This gives you an important new perspective concerning the problem and how to deal with it.

Another factor that is always present and directly related to time is stress. Studies have shown that people become more rational as they become less emotional. We are capable of dealing with seven (plus or minus two) separate chunks of information in our short-term memory or working memory. If we are to add something to short-term memory, then something has to go. It appears, however, that some chunks take up more space in short-term memory than others. Any stimulus that is particularly vivid or emotional in content takes up more space than other chunks, therefore decreasing our ability to deal with other information. This means then that to get your message across to someone who is very emotional you should first do something to reduce his or her emotional level. Time alone will reduce it, but you may be able to speed up the process by using some of the techniques that are discussed elsewhere in this booklet.

The body reacts to stress in the following way (referred to as general adaptation syndrome):

- During the shock phase there is an increase in adrenalin in the blood, a quickening of the pulse and respiration, and an increase in blood sugar levels.
- The countershock phase is characterized by a feeling of hyperactivity—a feeling that you can't sit still and that you have to keep moving or doing something. This is by

far the most dangerous phase in this cycle.

- In resistance/adaptation the body begins to adapt to the situation, starts to repair damages, and the stress symptoms start to disappear.
- Finally, in exhaustion all adaptive mechanisms begin to collapse and the body's functions start to slow down.

Observation:

Individuals can't maintain a high level of resistance. Eventually they will reach the exhaustion stage. The length of time it takes them to reach this stage, however, can vary because of particular differences, as with the use of drugs or alcohol.

In a hostage situation, however, or in any situation that is not resolved immediately, people go through a series of shocks that create a wave-like pattern. It's up to the negotiator to manipulate the level of stress of the hostage-taker and to recognize at what point the hostage-taker is on the curve. Unfortunately, the negotiator is going through a similar curve. Learn to recognize when you have reached exhaustion and need a replacement. Beyond that point you simply won't be effective.

In the United States, 90 percent of the hostage-taking incidents were negotiated in less than 10 hours with the majority lasting about 8 or 9 hours. Terrorist situations will undoubtedly take longer than this for the following reasons: (1) They use drugs to maintain their alertness over longer periods of time; (2) they relieve each other when they become tired; (3) they can bolster each other's confidence; (4) they are more dedicated than the average criminal; (5) they have prepared for this event and are anticipating difficulties; and (6) they have an organization that is expecting them to perform in a certain way. So, in negotiating with professional terrorists, make sure you have made arrangements for relief.

In summation, the passage of time can have the following effects:

1. Increasing basic human needs
2. Reducing anxiety, stress, or emotion
3. Increasing rationality

4. Allowing time for intelligence gathering
5. Permitting the development of rapport and trust
6. Reducing expectations

Time is on your side, so don't rush into the negotiations unprepared.

When you do contact the hostage-takers,

- Establish a problem-solving climate by showing a desire to understand and a willingness to help, and
- Establish a climate of compromise by adopting a give-and-take attitude and by showing a willingness to bargain and yield when necessary.

Obtaining Information

The techniques used for gathering information are the same as those used in conducting an interview, only you use them a bit more subtly.

First, you have to know the difference between open-ended and closed-ended questions. Open-ended questions provide a person with a chance to give a long answer, while closed-ended questions call for a "yes" or "no" or a brief response. Generally open-ended questions are better unless you aren't getting the types of responses you want. With someone who is reticent you might want to start with closed-ended questions until you have established rapport and the person feels like talking more spontaneously.

One technique that psychologists use to gather information is called active listening. John Burton, in a book titled *Conflict and Communication*, states that the resolution of conflict is a process of testing whether information is received as transmitted and whether what is transmitted has been sent deliberately and contains accurate information. In active listening you use two techniques to confirm the accuracy of information received. These techniques are called restatement of content and reflection of feeling.

In restatement of content you repeat back in your own words what you think you have heard. Doing this shows an interest on your part in effec-

tive communication; it shows that you paid attention; and it shows that you understand what has been said. It also gives a person an opportunity to correct any errors that you may have made.

In reflection of feeling you pay attention to what is said and how it is said. You listen specifically for the strength, tone, and pace of the voice to look for hidden messages. In this case you refer to feelings you think the other person is experiencing. Once again, it shows interest and understanding, and it encourages people to talk.

Obtain as much information as you can and insure that it is recorded and passed on to those who might need it. This information will assist you in developing a bargaining position and in responding to the position of the hostage-takers. Your information will also be useful and may, in fact, save lives if it becomes necessary to make an assault.

Calming a Hostage-Taker

To calm a hostage-taker you can use modeling, ventilation, and distraction.

- Modeling—respond in a calm and controlled way, using a very conversational tone. If you speak slowly and deliberately, after a while the hostage-taker begins to speak more slowly and to feel more calm.
- Ventilation—give the hostage-taker time to talk without interrupting him or her when talking.
- Distraction—use distraction to draw the attention of the hostage-taker away from whatever is bothering him or her. You can distract in a variety of ways such as keeping the hostage-taker constantly making decisions or by making noise. During the Prince's Gate incident in London, for example, during which Arabs from the Khuzestan province in Iran assaulted and held hostages in the Iranian Embassy, the police made road construction noises in the street outside the Embassy, and they kept the negotiator for the terrorists busy making decisions as

to where to put the escape vehicle so that he wouldn't notice that an assault had begun.

Establishing Rapport

You can gain rapport by considering the issues seriously, using self-disclosure; expressing empathy; helping the hostage-takers to save face; avoiding criticism, threats, and impatience; and being consistent.

Show that you take the hostage-takers seriously and are genuinely willing to work toward a satisfactory agreement.

Self-disclosure helps the hostage-takers to relate more quickly to the negotiator. It is important that they see you as an individual who has problems just as they do.

You express empathy by showing that you understand their feelings and their point of view. To do this you have to concentrate on what they say and what they do so that you can find out what their true motivation is, that is, what their underlying assumptions are. Don't try to empathize unless you are sure you can do it convincingly.

The best negotiators recognize the importance of helping the hostage-takers to save face. Sometimes the only thing keeping the hostage-takers from making concessions is the fear of losing face in front of the people who are important to them. Allow them to retreat gracefully, control the pace of concession-giving, and provide the hostage-takers with relevant, face-saving rationalizations to show why they should concede in a certain area. Do not underestimate the importance of face-saving. When bargainers are made to look weak and foolish before a significant audience, they are more likely to retaliate in some way than if their failure has not led to the public loss of face.

Do not express criticism, threats, or impatience, because time is on your side, and a problem-solving climate works in your favor. Studies have consistently shown that threats reduce the levels of cooperation in dyadic interaction.

Be consistent and responsive in your behavior. Any hint of randomness, inconsistency, or unpredictability on your part will reduce cooperation.

Whenever possible emphasize your similarity with the hostage-takers. We are more inclined to cooperate with those whom we perceive to be similar to us than with those who are different in some way. Also, try to break down any ingroup/outgroup distinctions. Studies have shown that cooperation is at least twice as high with an ingroup as it is with an outgroup, even if the relationships in the ingroup are tenuous and newly formed. It might be effective, for example, to show that you have had similar experiences in life and that you perhaps come from a similar social background.

Persuading

The last major negotiation technique is persuading the hostage-takers, which consists of the following techniques:

- Agree in part with their views. This decreases their resistance to later arguments.
- Then deal with the small issues first, creating a climate of success and putting off the major problems until later when the subject has invested more time and has a greater interest in reaching an agreement.
- Fractionate the big problems by breaking them down into a number of smaller problems that are each easier to handle.



- If you aren't making any progress, initiate issues to be negotiated and then give in on these in exchange for some concessions.
- Studies have shown that when trying to convince a person of a particular point, it is much more effective to use episodic information such as specific examples or case histories rather than statistical information, because episodic information remains more vivid in the mind and has a greater influence on behavior than isolated "facts."
- Above all, make sure you constantly suggest surrender. It just may be that the hostage-takers simply haven't considered this as an option, and as things become more complex, they may see it as a more attractive alternative.
- Maintain nonthreatening communications. Studies indicate that communications (both verbal and nonverbal) can improve cooperation and that threatening communications usually reduce cooperation.
- Agree with obvious reluctance to any demands that might be to your tactical advantage, perhaps in exchange for immediate or future concessions on the part of the hostage-takers. If the demands are to the advantage of the hostage-takers or fall in the area of nonnegotiable items, stall for time and express a willingness to seek alternative solutions that may be acceptable to and meet the interests of both sides.

CHOICE OF NEGOTIATOR

While you may have had extensive experience in negotiations of various sorts, that does not necessarily make you the best choice as a hostage negotiator.

First of all, assess the possibility of your being considered as an advocate for one party and the effect of that upon the negotiation process. You

will not be considered as neutral unless you have low or no power over the parties, enjoy high credibility with both parties, focus on process rather than outcome, and recognize the importance of rationality and good information in achieving a settlement. In some situations it may be useful or necessary to find someone who can intervene as a mediator to facilitate the negotiation process (if the hostage-takers refuse to deal with you).

Secondly, decisionmakers should not be negotiators for a variety of reasons, the most important of which are:

1. Using the decisionmaker as the negotiator weakens the tactic of stalling for time. Your claim that you must get approval for each minor step is less plausible.
2. As the negotiator you tend to lose objectivity.
3. You are incapable of maintaining control over the entire situation.

STOCKHOLM SYNDROME

Anyone who is going to become a negotiator or teach people to survive hostage situations has to have a good understanding of the Stockholm Syndrome. This syndrome was discovered as a result of a bank robbery that took place in Stockholm, Sweden on August 23, 1973, during which four hostages were held in a bank vault for 131 hours. After their release, the hostages were confused as to what their feelings were while being held hostage and what their feelings were after the crisis was resolved. There are three aspects of the Stockholm Syndrome:

1. Positive feelings of the victim toward the hostage-taker
2. Negative feelings of the victim toward the authorities
3. Positive feelings of the hostage-taker toward the victim.

While the negotiator must live with the first two aspects, he or she has to work toward encouraging the last aspect. You foster these positive feelings toward the victim by:

- Emphasizing the hostages' human qualities
- Asking the hostage-taker to check on the health of the hostages
- Giving the hostage-takers and hostages things to be done as a group. (For example, if they demand food, send in bulk items such as unsliced meat, unsliced bread, and unsliced cheese or things that require cooperation and group activities.)

In the past, it was thought that time was the only important factor in developing the Stockholm Syndrome, but it is now known that it is only one factor and probably not the most important.

The development of these positive feelings depends upon the nature of the contacts between the hostage-takers and the hostages. If there are positive contacts, then the bond is more likely to form. If the contacts are negative or there are no contacts, then the syndrome may not develop.

The Stockholm Syndrome has other important impacts on the negotiation process. On occasion, such as at Prince's Gate, the hostages helped or at least did nothing to prevent the possible escape of one of the hostage-takers. On some occasions, during an assault the hostages followed the instructions of the hostage-takers rather than the police who were trying to rescue them. Hostages who have been released early have provided false or inaccurate information concerning the situation when questioned by the police in an apparent effort to protect the hostage-takers. The only way you can protect yourself from these effects is to be prepared for them and even to expect them.

We don't want to overplay the Stockholm Syndrome because it is a phenomenon that still is inadequately understood and not consistently evident in hostage-taking incidents. We know very little about what exact processes lead to its development, and we know little about what

types of people might be more susceptible to its effects. The syndrome is, nevertheless, an important phenomenon which must always be considered in hostage-taking situations, because to ignore it could bring disastrous results.

PERSONALITY TYPES

According to statistics available from the FBI, in the average population 70 percent of the people are normal, 10 percent are neurotic, 2 percent are psychotic, and 18 percent have some sort of personality disorder. Of the 10 classifiable disorders, 2 are most commonly involved in hostage-taking incidents in the United States: psychotics and personality disorders. It must be reemphasized that U.S. statistics are based primarily on criminal incidents and not on incidents of terrorism. Political terrorists are the most difficult group to deal with because they are generally rational, have a sense of right and wrong, and form strong loyalties. The personality types referred to below, while perhaps more common in hostage-taking incidents that are not political in motivation, have still been found on many occasions to be involved in terrorist groups, particularly the antisocial personality whose criminal background and experience would prove useful for a terrorist organization.

- The two types of psychotics seen in 50 percent of the hostage-taking incidents in the United States are the paranoid schizophrenic and the psychotic depressive.
 - Paranoid schizophrenics are characterized by persistent false mental perceptions or beliefs such as delusions of persecution. Thinking often is loose and makes no sense. Schizophrenics can appear normal at some moments and psychotic at others.
 - Psychotic depressives experience extreme sadness, hopelessness, feelings of inadequacy and worthlessness, slow thinking and speech, and indecisiveness. They have a decreased concentration and are prone to suicide.

- The two personality disorders most commonly encountered are the antisocial personality and the inadequate personality.

- Antisocial personalities are repeatedly in conflict with society. They are incapable of loyalty and are grossly selfish, callous, and irresponsible. They feel no guilt and have a low frustration tolerance. They tend to blame others no matter what the circumstances. In general, they are probably the most difficult personality type to deal with.

- Inadequate personalities are unable to respond effectively to emotional, social, intellectual, and physical demands. They are inept, show poor judgment and social instability, and they lack physical and emotional stamina.

Quick Recognition Points

- If a person's behavior strikes one as "weird," he or she is probably a paranoid schizophrenic;
- If the response is something similar to "Go away and leave me alone," he or she is probably a psychotic depressive;
- If the demands of a hostage-taker are fairly realistic, he or she may be an antisocial personality; and
- If he or she is totally unrealistic, then that person is most likely an inadequate personality.

Negotiating Tactics

The tactics that you use in negotiating with these personality types are different.

Paranoid Schizophrenic

- Find out if they have been on medication and, if so, if they have their medication with them. If you can get them to take their medication you may see an improvement in their behavior over a period of time.
- Do not try to get too close to them physically because of their need for extended protective body space.
- Keep your hands where they can see them. If you have your hands in your pockets or behind your back, they will wonder what you are hiding there.
- Do not agree, but do not try to argue, with them about their delusions because these delusions seem to have a protective function for them. You might simply tell them that you understand that they are seeing things but that you don't see them.
- Consider the use and exploitation of the media publicity because it may satisfy their real needs.

Psychotic Depressive

- Expect slow responses and provide them with the time they need to answer your questions.
- Don't try to rush them.
- Don't bring any friends or relatives to the scene.
- If you want them to do something, be very explicit and directive.
- Be alert to any sudden change in mood. A sudden improvement in mood may indicate that the person has

decided that suicide is his/her only solution and feels better only because he/she has arrived at that solution.

- Repeat assurance constantly. Be confident and positive that his or her problems can be solved.

Antisocial Personality

- You shouldn't bring any family members to the scene. A high correlation seems to exist between child abuse and antisocial behavior. In most cases the relationship between an antisocial and family members is not good.
- Antisocials require a great deal of stimulation. If they aren't getting enough from their environment, they will create some, probably in the form of violent behavior. If you think they aren't being adequately stimulated, provide stimulation in the form of distractions.
- Don't challenge or threaten their ego.
- Don't appear indecisive or ambivalent.
- Don't show force.
- Don't talk of punishment.
- Above all do not engage in face-to-face negotiations with these persons. The only way you can convince these persons to take a certain action is to convince them that it is to their advantage to do it. They won't do it otherwise.

Inadequate Personality

- For the inadequate personality, most of the usual negotiation tactics are effective. You must, however, be alert to

the possibility of suicide and go heavy on the ego support and face-saving techniques.

- Make them think they have no choice but to surrender and that they are giving up in the face of overwhelming odds, that anyone would do the same thing in their position.

TERRORIST DEMANDS

Be aware of the characteristics of initial demands.

This is a very stressful time, and people are often shocked by how much the other side is asking.

You immediately think that you're fighting a losing battle.

Professional negotiators realize that the outcome of the negotiation depends to a large extent on the initial position that they establish.

The hostage-takers' initial position is based not only on the strength or weakness of their position or on their interests, but also on strategic considerations. Hostage-takers will try to find a position that maximizes their own advantage and that is barely acceptable to the other side. They will try to support their position by a process of education that might include the facts as they perceive them, statistics, a showing of emotion, and reason and logic.

The negotiator's job is to respond to their initial position with skepticism and critical objections.

Both sides will then try to pierce through the exaggerations and deceptions to establish what is, in fact, a realistic initial position.

Only after this process takes place can you start effective bargaining. In

hostage negotiations the demands are almost always presented as follows:

1. They are not open to negotiation.
2. All demands must be met.
3. A specific time limit by which the demands must be met is set.
4. Specific consequences for failure to meet those demands are enumerated.

Generally this initial process leads to what is called a functional impasse at which point both sides may want to break off communications temporarily to consider each other's position in more detail.

WHAT IS NEGOTIABLE

In a negotiation, some things, in addition to those items referred to in the U.S. Government policy, are considered nonnegotiable. Among these things are weapons, alcohol, narcotics, and the exchanging of hostages.

Some negotiators make an exception of alcohol under very rare circumstances when the hostage-taker has consulted a psychiatrist or psychologist and the negotiator has the opportunity to consult him or her about how the individual would be likely to react to alcohol. While some people become passive, others become violent. Unless you are certain about the response, do not provide alcohol.

Some negotiators have tried drugging hostage-takers by putting something in food or beverages. Once again the effects may be unpredictable, and it is possible that the food will be tested on the hostages before being consumed.

Exchanging hostages is dangerous because it raises the emotional involvement of the negotiator and other authorities. You may also be improving the bargaining position of the hostage-takers.

Those items that may be considered as negotiable are:

- Food

- Nonalcoholic beverages
- Transportation [Do not let the hostage-takers move unless it is to your tactical advantage. Many problems are associated with mobile situations such as command and jurisdictional difficulties, communications difficulties, and loss of control.]
- Media coverage
- Other basic human needs such as toilet facilities, climate needs (heating and air-conditioning), and medication



THE BARGAINING PROCESS

You may well be an experienced negotiator, but it is useful to review the principles that apply and to reflect on the fact that hostage negotiation is usually done under the pressure of high stress and requires time-compressed decisions with an immediate effect on life and property. Hostage negotiations are also much more complex because of the constraints placed upon you by U.S. Government policy. A 1976 study indicates the effect of the strong expectation of matched concessions. In negotiations where the negotiator matched the concessions of the opponent, an agreement was reached in 90 percent of the cases. Where the negotiator took a hard bargaining position, agreement was reached in only 20 percent of the cases. Although the hard bargaining strategy results in a higher payoff if agreement is reached, the chances of an agreement are drastically reduced.

Tom Colosi of the American Arbitration Association says that the essence of negotiations is an exchange of promises. In most cases, at the end of a negotiation what you have is an agreement on a set of promises as to what both of you are going to do. You cannot make an exchange of promises, however, unless there is a certain level of trust established between the two parties.

Without trust you won't have any effective communications taking place and you won't have the opportunity to educate the other side as to the logic of your position or the weaknesses of theirs.

Your main job as a negotiator is to create doubts in the minds of the other side as to the viability of its position. You have to take every opportunity to plant doubts and constantly ask yourself what else you might say or do that would cause the other side to doubt its position even more. Creating these doubts depends once again on establishing trust between the two parties. Expectations are also important. If your expectations are high, then you are less likely to be satisfied with an agreement. If you reduce the expectations of the other side, you increase the chances that they will be satisfied with what they get. This can be a difficult process because bargainers who possess a threat capability, as do hostage-takers, have higher aspiration levels than bargainers who do not have threats. Creating doubts is one effective way of reducing expectations.

Negotiation is an educational process coupled with the use of various forms of power (in hostage negotiation coercive power is most commonly used) in an effort to satisfy the essential self-interests of the disputants through an exchange of promises.

Most negotiations have three stages, and they always occur in the same order. They are:

1. Establishing positions

The first stage is one of long speechmaking as both sides lay out the details of their positions. Each position is stated with conviction and the contrasting arguments are treated as not being worth consideration. There is an apparent unwillingness to retreat and apparent irreconcilable differences that will never be resolved. Quite often antagonisms begin to emerge at this stage, but it serves a very essential function in that it sets the negotiating range—we now know that the final settlement will have to fall somewhere in between these two initially established positions.

2. Exploring strengths and weaknesses of positions

In the second stage we begin to probe for weakness in the other side's position. We engage in critical questioning in order to sense which elements in their proposal offer the greatest room for compromise. This is a time for expressing skepticism and looking for ways of creating doubts. You have to listen carefully for any indirect communications such as tone and phrasing that might indicate an opening. Eventually one side will show a willingness to discuss certain points in their proposal, and that is when you move into the third stage. The greatest virtue in this second stage is patience. This process is going to take time.

3. Reaching a conclusion

In the third stage new compromise proposals are presented and they are followed by counterproposals. Tradeoffs are made on certain issues as both sides work on reducing the bargaining range. If you are working under a deadline you will notice a tremendous increase in intensity and hectic activity just before the deadline arrives. Sometimes there will be an impasse, but in general both sides gain more from a settlement than from a breakdown in negotiations. Otherwise, why would they have negotiated in the first place.

STRUCTURE OF NEGOTIATION

According to Tom Colosi, the structure of a negotiation is complex and multilayered.

It initially consists of horizontal negotiation or the Hollywood view of negotiations. Across the table you can give speeches, you can notify the other side of your decisions, you can show emotion and the intensity of your feelings, you can signal intentions, and you can educate and be educated. All of these functions are essential to the process of negotiation, but this isn't where the majority of the negotiation actually goes on.

The intrateam dynamics can be more important. Every negotiating team has a certain kind of makeup. There are stabilizers who understand that the negotiation process is a stabilization process and see it as a good alternative to less satisfactory forms of conflict resolution. Some of them will settle at any price while others need to be convinced a little more. Then there are the nonstabilizers who don't like the negotiation process and don't want to settle at any price. And in the middle you find the quasi-mediators whose job it is to harmonize the differences between the stabilizers and the nonstabilizers. Most of the negotiation goes on within the team, and these negotiations are referred to as internal negotiations. It is here that the team attempts to make the decisions that are necessary for the negotiation process. This is happening on both sides.

Then there are negotiations with the vertical hierarchies. Both sides have constituents that they're representing. They will either have to report back regularly what is taking place in the negotiation and get approval for the next step, or they have come to the negotiation with specific instructions from their vertical hierarchies telling them what outcome will be acceptable.

So in each negotiation there are in reality five negotiations going on:

- One horizontal
- Two internal
- Two vertical

An effective negotiator will be aware of this and provide the quasi-mediators on the other side the types of information and support they need to create doubts in the minds of their nonstabilizers and to convince their vertical hierarchies that the settlement they are reaching is the best one possible under the circumstances.

INTERESTS AND ISSUES

Bill Lincoln, a nationally known expert who presents workshops on mediation and negotiation, makes an important distinction between interests and issues.

- He describes interests as being intangible and incapable of being measured quantitatively or qualitatively. Interests are closely related to our basic human needs such as those

spelled out by Abraham Maslow in *Motivation and Personality* (1954), but, whereas the list of basic human needs is static, our interests tend to change over time as some needs are met and others remain unsatisfied. In some cases, people do not know what their interests are, so it is up to you to help them identify them.

- Issues, on the other hand, are tangible and can be measured. If we are trying to negotiate a raise of 50 cents an hour, then that raise of a certain sum of money is an issue.

The fact that issues are measurable leads to the trap of evaluating an outcome by some arbitrary values and causes us to think in terms of winning or losing in a negotiation.

In a negotiation we tend to focus on issues and ignore interests when in reality it's the interests that must be satisfied.

The effective negotiator must transfer issues into interests and seek to satisfy these interests. This gives much greater flexibility and it avoids the tendency to evaluate the outcome.

When presented with an issue, ask the person with whom you are negotiating what goal would be satisfied by winning that particular issue. If for example the raise of 50 cents would help to satisfy a physiological interest, then you might explore alternative means of meeting the interest and come up with some innovative solutions that meet the needs of both sides more effectively.

SUMMARY

- Stall for time by explaining that you do not have the authority to make decisions on these important matters and, therefore, must obtain approval from higher authorities.

- Concentrate on the signs of stress and work toward reducing its effects.
- Be aware of the three aspects of the Stockholm Syndrome.
- Look for the personality types and vary your negotiation strategy as necessary.
- The essence of negotiation is an exchange of promises, and therefore trust is essential to this process.
- Take the opportunity to educate the other side and to create doubts as to the viability of its position.
- Convert issues into interests and look for innovative solutions to the problem.

HELPFUL HINTS

While it is tempting to seize upon a specific set of tactics and cling to them no matter what the circumstances, that is not an effective procedure for hostage negotiations, which are very context dependent. It is far more beneficial to have a variety of techniques and tactics that you can call upon to suit the situation in which you find yourself. Having said that, we realize that people want and perhaps need a set of helpful hints that will at least serve them well in the initial stages of a negotiation. The FBI has prepared such a list which we offer with the strong recommendation that you do not use it slavishly.

1. Use open-ended questions that require a narrative response and encourage the hostage-taker to talk.
2. Make an assessment of the hostage-taker's mental health and adjust your style accordingly.
3. Assess the hostage-takers' dedication to their cause.

4. Make the negotiation as personal as possible, depending of course on cultural considerations.
5. Avoid flat, negative responses. Stall on these items indicating that you must consult with others. You may state that it will be a difficult issue to resolve, thus reducing expectations.
6. Place the hostage-taker in a position in which he/she must constantly make decisions.
7. Always bargain. Try to get something for any concessions made.
8. Downplay the seriousness of past events so that the hostage-takers never feel that they have committed themselves irrevocably.
9. Always hold out hope for a successful conclusion. Avoid provoking feelings of despair.
10. When appropriate, give the impression that progress is being made.
11. Avoid tricks which will probably fail and dash hopes of successful negotiation.
12. Avoid deadlines. Use distraction or make minor concessions to pass deadlines.
13. Be honest.
14. While you should be interested in the hostages, do not dwell upon them during negotiations because this could emphasize the importance of the hostages for the hostage-takers.

15. Work toward early release of sick or injured hostages.
16. Never negotiate alone.
17. Keep a log of all incidents, threats, demands, and agreements made.

Your selection of tactics should be determined by the needs of the situation. If what you are trying is not working, try something new, something that will either alter the situation or your approach to it. It might even be necessary to find another negotiator, one who has a personality that seems to suit the needs of the situation. Above all, be flexible.

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